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| Title 10 PLANNING AND ZONING <br> Chapter 2 ZONING AND LAND USE | Print Frames |
| $\frac{\text { Article 3. General Regulations }}{\text { Division 3. All Zones }}$ |  |

## 10-2.1522 Building and other projections in all zones.

(a) Projections into required setbacks. The following projections may be permitted into required setbacks and setbacks between buildings:
(1) All zones. Cornices, eaves, belt courses, sills, water heaters, cantilevered bay windows not containing any floor area, awnings affixed to the building facade, and fireplace chimneys or any other similar architectural feature may project into a required side setback one-half the distance of the required side setback, or thirty (30) inches, whichever is less, and may project into a required front or rear setback, or into the required setback between buildings no more than thirty (30) inches. Windows and other openings in buildings must maintain a thirty-six (36) inch to sixty (60) inch setback from the property line in accordance with Building Code.
a. Basement light wells. Basement light wells projecting into a required setback must maintain at least a thirty-six (36) inch setback from the property line.
(2) All residential zones.
a. Unenclosed balconies. Unenclosed balconies may project a five (5) foot maximum distance into any front, side, or rear setback or required space between buildings, provided they are removed a minimum horizontal distance of twelve (12) feet from the front property line, ten (10) feet from the rear property line, five (5) feet from the side property line, and ten (10) feet from any accessory building. Railings or walls of that portion of balconies which project into required setbacks or setbacks between buildings shall not extend more than forty-two (42) inches from the floor level of the balcony.
b. Unenclosed stairways. Unenclosed stairways and landing places shall be allowed to project into any required setback a maximum distance of six (6) feet but not closer than thirty (30) inches from any property line; provided, however, no unenclosed stairway or landing shall be allowed to encroach into any required setback area where such stairway provides access above the first story of any structure.

1. R-1A zone. Notwithstanding the above, in the R-1A zone, unenclosed stairways on twenty-five (25) foot wide lots may extend to the side property line provided the maximum height of the landing shall not exceed six (6) feet above the finished or existing grade of the lot, and provided stairways return to grade on the opposite side to permit pedestrian access to the rear portion of the lot.
c. Decks and patios. No side or rear setback is required for decks and patios not more than thirty (30) inches in height above existing grade. Decks and patios not more than thirty (30) inches in height above existing grade may project a maximum distance of six (6) feet into the required front setback. Notwithstanding anything in this title to the contrary, a safety railing shall be permitted as necessary to meet the minimum requirements under the Uniform Building Code.
d. Flagpoles. Flagpoles may encroach into any setback provided that the height of the zone in which it is located is not exceeded.
e. Pools and spas. Pools and spas, above and below ground, may encroach any distance into a required side setback, rear setback, and/or setback between buildings. Mechanical equipment for pools and spas may encroach any distance into a required rear setback or setback between buildings. No pool, spa, and/or associated mechanical equipment shall encroach into a required front setback.
f. Other architectural features and structures. Arbors, architectural archways, bowers, pergolas, lampposts, and other architectural features or structures deemed as similar by the Community Development Director, may project into any required setback subject to Administrative Design Review (Section 10-2.2500), provided the following standards are not exceeded:
2. Height. No lamppost, arbor, architectural archway, bower, pergola, or similar structure located within an otherwise required setback shall exceed a height of nine (9) feet.
3. Horizontal dimensions. No arbor, architectural archway, bower, pergola, or similar structure located within an otherwise required front setback shall exceed a length of six (6) feet parallel to any street frontage with a maximum total projected roof area of thirty (30) square feet.
(3) All commercial and mixed-use zones.
a. Canopies. Canopies no more than twelve (12) feet in width and leading to a building entrance may project any distance into a required setback subject to Administrative Design Review (Section 10-2.2500), further provided that no portion of the
canopy shall be less than eight (8) feet above finished grade. This section shall not be interpreted to prohibit encroachment over the public right-of-way where otherwise allowed.
b. Awnings. Notwithstanding subsection (1) of Section 10-2.1522(a), awnings may project any distance into a required setback subject to Administrative Design Review (Section 10-2.2500), further provided that no portion of the awning shall be less than eight (8) feet above finished grade. This shall not be interpreted to prohibit encroachment over the public right-of-way where otherwise allowed.
(b) Projections above permitted height. The following structures may be permitted to project above the permitted height limit of the zone in which it is located, provided the structure contains no habitable floor area and the limitations indicated for each are observed:
(1) Mechanical equipment and housing, including screening, exceeding the height limits of the zone in which the site is located by a maximum of four (4) feet;
(2) Chimneys, provided that the projection above the height limit of the zone is only to the extent necessary to comply with building and fire codes;
(3) Television and radio whip antennae exceeding the height limits of the zone in which the site is located by a maximum of ten (10) feet;
(4) Church steeples and bell towers exceeding the height limits of the zone in which the site is located by a maximum of fifteen (15) feet, subject to Planning Commission Design Review (pursuant to Section 10-2.2502);
(5) Flagpoles exceeding the height limits of the zone in which the site is located by a maximum of ten (10) feet, and further provided that in any nonresidential zone flagpoles exceeding the height limits of the zone shall be subject to Planning Commission Design Review (pursuant to Section 10-2.2502);
(6) Architectural design elements integral to the overall design character of a building and intended to distinguish its design (such as a finial, pinnacle, or weathervane), provided that the design element does not significantly increase the mass or bulk of the building, and subject to the following procedures:
a. In residential zones, Planning Commission Design Review (pursuant to Section 10-2.2502) is required for any proposed design element exceeding the height limit of the zone by more than six (6) feet or for any design element proposed in conjunction with a project otherwise subject to Planning Commission Design Review. Proposed design elements exceeding the height limit of the zone by no more than six (6) feet shall be subject to Administrative Design Review (pursuant to Section 102.2500) when not in conjunction with a project otherwise subject to Planning Commission Design Review;
b. In nonresidential zones, Planning Commission Design Review (pursuant to Section 10-2.2502) is required for any proposed design element exceeding the height limit of the zone.
(Ord. 2756 c.s., eff. January 18, 1996, as amended by Ord. 2786 c.s., eff. January 2, 1997, Ord. 2801 c.s., eff. June 5, 1997, § 3, Ord. 2833 c.s., eff. July 1, 1999, § 3, Ord. 2865, eff. February 1, 2001, § 2, Ord. 3008 c.s., eff. December 6, 2007, and § 1, Ord. 3107 c.s., eff. February 8, 2013)

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